

No. 4:06-CR-35-1H
No. 4:16-CV-152-H

Respondent.

Therefore, the court hereby GRANTS petitioner's motion to vacate. This matter is SCHEDULED for resentencing at the court's October 11, 2016, criminal term. The petitioner shall remain in

custody pending the resentencing hearing. The United States Probation Office is DIRECTED to provide the parties and the court with a resentencing memorandum. Furthermore, counsel for petitioner shall continue representing petitioner in connection with the resentencing under the Standing Order 15-SO-02. The clerk is directed to serve a copy of this order upon the United States Probation Office.

This 31st day of August 2016.



MALCOLM J. HOWARD
Senior United States District Judge

At Greenville, NC
#26